

MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
August 12, 2014

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, August 12, 2014 at 7:00 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

Jose Luis Aguilar	Raul Rodriguez
Kent Bratcher	Bill Rogers
Terry Hill	Nora Sanchez
Manuel Madrid Jr	Jeff Youtsey

The following were absent:
None

Also present:
Aubrey Hobson, City Clerk-Treasurer
John Caraway, City Attorney

It was determined that a quorum was present. The invocation was given by Councilor Rodriguez, and all joined in the Pledge of Allegiance.

New Requests for City Facilities

Artesia MainStreet presented requests for the following events:

- A. Use of Heritage Walkway on Saturday, November 1, 2014 from 6 pm – 11 pm for Downtown Disco After Dark. *Contingent upon proof of security.*
- B. Use of Baish/Veterans' Park on Tuesday, November 11, 2014 from 10 am – 12 noon for a Veterans Day Celebration. Request approval of use of city services and road closures as stated on application and waiver of fees.
- C. Permission to hold the annual Light Up Artesia Parade (*contingent upon state approval*) on Thursday, December 4, 2014, beginning at 6 pm with the closure of Main Street from Bulldog Boulevard east to Roselawn Avenue during the parade. Request waiver of all fees.

Councilor Bratcher moved to approve all three events as presented. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Consent Agenda

Councilor Aguilar moved to approve the Consent Agenda as written. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

The Consent Agenda includes:

- 1. Approval of Minutes: * July 25-27, 2014 - Retreat
- 2. Consideration of Bids:
 - A. *Approval of award of bid to construct the Woodbine Cemetery Memorial Pavilion & Columbarium to Southwest CM, LLC, Albuquerque, NM

3. Contracts, Leases and Agreements:
 - A. *Approval of 2014-2015 PSAs
4. Appointments:
 - A. *Ratification of a letter of support for Mayor Burch to run for NMML Director at Large at the 2014 Annual Convention
5. Resignations:
6. Dates of Hearing:
 - A. *Permission to set a public hearing for September 9, 2014 for consideration of an amending section 1-6-16(C) Leave Policy of the employee personnel ordinance
 - B. Permission to set a public hearing for October 14, 2014 for consideration of an ordinance amending Title 7 (Public Utilities) of the Artesia Municipal Code by adding Chapter 7-4 (Water Conservation).
7. *Travel and Training:
 - A. Legislative – Permission to attend the NLC Congress of Cities & Exposition in Austin, TX. Request actual expenses and mileage
 - B. Police – Ratification of Mayor Burch's approval for one (1) employee to attend the Covert Electronic Surveillance Program in Glynco, GA. Request actual expenses
 - C. Police – Permission for one (1) employee to attend the National Animal Cruelty Investigation School in Las Cruces, NM. Request actual expenses
 - D. Legislative – Ratification of Mayor Burch's approval to attend the NRPA Annual conference in Charlotte, NC. Request actual expenses
 - E. Wastewater – Permission for one (1) employee to attend the NMWWA 2014 Short Central School in Albuquerque, NM. Request actual expenses
 - F. Wastewater – Permission for one (1) employee to attend the 2014 RMSAWWA/RMWEA Joint Annual Conference in Albuquerque, NM. Request actual expenses
 - G. Police – Permission for one (1) employee to attend Firearms Technology & Terminology training in Albuquerque, NM. Request actual expenses
 - H. Police – Permission for one (1) employee to attend the Technique of Investigative Interviewing in Ruidoso, NM. Request actual expenses
 - I. Street – Permission for one (1) employee to attend the NMRPA in Las Cruces, NM. Request actual expenses
 - J. F&A – Permission for one (1) employee to attend the NMDOT Aviation conference in Ruidoso, NM. Request actual expenses
 - K. F&A – Permission for one (1) employee to attend the NLC Congress of Cities & Exposition in Austin, TX. Request actual expenses
 - L. Police – Permission for one (1) employee to attend a Practical Homicide Investigation seminar in Cleveland, OH. Request actual expenses
8. Use of Facilities *(approval contingent upon receipt of all applicable fees, license(s) and dept approvals):*
9. Routine Requests for City Facilities
10. Budgeted Items:
11. Non-budgeted Items:
12. *Payment of Bills

Councilor Rodriguez moved to consider agenda item 13 at this time. The motion was seconded by Councilor Youtsey and upon vote, the motion passed.

Infrastructure

Navajo Refining requested approval of an Access Agreement to drill a monitoring well at Guadalupe Park. Councilor Aguilar moved to approve the Access Agreement with Navajo

Refining Company for a monitoring well at Guadalupe Park. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Public Hearings

Mayor Burch declared the meeting open for public hearing for the following:

1. Consideration and approval of the Sellcrow Holdings LLC Replat of Lots 2 & 4 of Block 2, Blair Addition, Section 17, T17S, R26E.

Code Enforcement Officer Cheryl Hinkle reported that these lots are on the east side of Highway 285, just north of Chaos Café. The replat would consolidate Lots 2 & 4 to one tract. Planning and Zoning has recommended approval.

No public comment was received.

Councilor Rodriguez moved to approve the Sellcrow Holdings Replat, Ordinance No. 942. The motion was seconded by Councilor Rogers and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez, Youtsey

Nay: none

the motion passed.

ORDINANCE NO. 942

2. Consideration and approval of the Artesia Transfer Station Replat, Section 33, T16S, R26E.

Ms. Hinkle reported that this replat would combine two tracts into one at the Transfer Station. Planning and Zoning has recommended approval.

No public comment was received.

Councilor Rogers moved to approve the Artesia Transfer Station Replat, Ordinance No. 943. The motion was seconded by Mayor Pro tem Terry Hill and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez, Youtsey

Nay: none

the motion passed.

ORDINANCE NO. 943

Personnel

Councilor Rogers moved, upon recommendation of the Mayor, to hire Leonel Villicana to the position of Uncertified Firefighter/EMT at a salary of \$2,422 per month (CA21), subject to the successful completion of required pre-employment testing. The motion was seconded by Mayor Pro tem Hill and upon vote, the motion passed.

Councilor Rogers moved, upon recommendation of the Mayor, to hire Misty Ridge Bartlett to the position of Facilities Maintenance Custodian, at a salary of \$1,631 per month (CA5), subject to the successful completion of required pre-employment testing. The motion was seconded by Mayor Pro tem Hill and upon vote, the motion passed.

Human Resources Director Bill Thalman presented the annual salary survey that was presented at the retreat, with some modifications to the Fire Department. Mr. Thalman reported that salaries were low at the EMT-Intermediate and EMT-Paramedic levels. The new rates would adjust that. Mr. Thalman also reviewed a comparison of the salary survey changes as proposed and their actual effect on the budget.

Councilor Bratcher moved to approve the annual salary survey, Resolution No. 1546, and to make no change to the budget until review at mid-year. The motion was seconded by Councilor Madrid and upon vote, with Mayor Pro tem Hill voting "nay", the motion passed.

RESOLUTION NO. 1546

Human Resources Director Bill Thalman presented the safety statistics for July.

Public Safety **Police**

Chief Raley reported that the National Night Out event at the Artesia Center was a success.

Chief Raley presented the department statistics for July.

Fire

Chief Hummingbird presented the 2014 Eddy County Hazard Mitigation Plan report and noted that while the city has completed the items on the current plan, the county has requested funds to review and update the plan.

Chief Hummingbird presented the department statistics for July.

Community Development

Code Enforcement Officer Cheryl Hinkle presented a request for the foreclosure at 915 S. 5th Street. Ms. Hinkle reported that the demolition has been completed and the owner has indicated that they will not make payments on the demolition costs. Councilor Bratcher moved to proceed with foreclosure of lien at 915 S. 5th Street. The motion was seconded by Councilor Rogers and upon vote, with Councilor Aguilar voting "nay", the motion passed.

Community Development Director Jim McGuire distributed the department statistics for July.

Infrastructure

Infrastructure Director Byron. Landfair reported on the status of projects.

Mayor

Councilor Rodriguez, moved that in accordance with 10-15-1-H(2 & 7), the Council and Mayor go into executive session regarding limited personnel matters (the employment status of a probationary Wastewater Department employee) and threatened or pending litigation. The motion was seconded by Councilor Bratcher and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez, Youtsey

Nay: none

the motion passed.

Mayor Burch declared a short recess at 8:00 p.m.

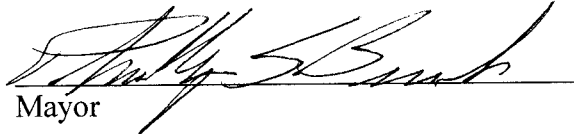
Council recessed to executive session at 8:05 p.m.

Council reconvened at 8:40 p.m.


Councilor Bratcher moved that the only matters discussed in executive session pertained to the limited personnel matters and threatened or pending litigation, and no action was taken. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Mayor Burch reported on the status of the immigrants housed at FLETC. Current population is at 542, last week there were no new detainees, and 85 deportations. There were no new disease reports or medical concerns. Mayor Burch reported that a town hall meeting is being organized on August 21st from 2 pm to 4 pm at the Total Life Center at First Baptist Church.

There being no further business to come before the Council, the meeting adjourned at 8:53 p.m. August 12, 2014.


Mayor

ATTEST:



City Clerk